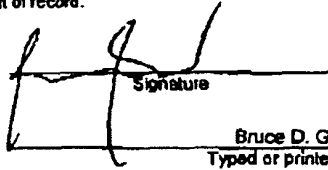


PTO/SB/26 (08-03)  
 Approved for use through 07/31/2008. OMB 0651-0031  
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<b>TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING          REJECTION OVER A PRIOR PATENT</b>	Docket Number (Optional) 251502008900
<p>In re Application of: <b>Hendrik L. BIJL, et al.</b></p> <p>Application No.: <b>08/821,025</b></p> <p>Filed: <b>March 19, 1997</b></p> <p>For: <b>PROCESS FOR THE PREPARATION OF A GRANULAR MICROBIAL BIOMASS AND          ISOLATION OF A COMPOUND THEREFROM</b></p> <p>The owner, <u><b>Gist-brocades B.V.</b></u>, of <u><b>100</b></u> percent interest in          the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted          on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and          173, as presently shortened by any terminal disclaimer, of prior Patent No. <u><b>6,441,208</b></u>. The owner hereby agrees          that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior          patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the          grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application          that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as          presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held          unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed          under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to          the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.),          the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information          and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements          and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code          and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record.</p> <div style="text-align: center; margin-top: 20px;">           Signature          Date <u><b>DECEMBER 10, 2003</b></u>  <u><b>Bruce D. Grant</b></u>          Typed or printed name  <u><b>(858) 720-7862</b></u>          Telephone Number       </div> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</p> <p><small>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).          Form PTO/SB/96 may be used for making this certification. See MPEP § 324.</small></p>	

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
031952	
FEE CODE	VALUE CURRENCY
1874	110 <sup>00</sup>

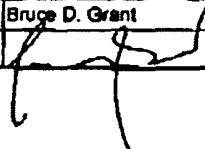
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PTO/BB17 (10-03)

Approved for use through 7/31/2004. OMB 0551-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>FEE TRANSMITTAL for FY 2004</b>		<b>Complete if Known</b>																																																																																																																													
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Deposit Account Number: 03-1852 referencing 251502006900 Deposit Account Name: Morrison & Foerster LLP The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051 130</td><td>2051 65</td><td>Surcharge - late filing fee or cash</td><td></td></tr> <tr><td>1052 60</td><td>2052 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053 130</td><td>2053 120</td><td>Non-English specification</td><td></td></tr> <tr><td>1812 2,520</td><td>2122 2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804 920*</td><td>2104 920*</td><td>Requesting publication of SPR prior to Examiner action</td><td></td></tr> <tr><td>1805 1,840*</td><td>2105 1,840*</td><td>Requesting publication of SPR after Examiner action</td><td></td></tr> <tr><td>1251 110</td><td>2251 55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252 420</td><td>2252 210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253 930</td><td>2253 475</td><td>Extension for reply within third month</td><td>950.00</td></tr> <tr><td>1254 1,480</td><td>2254 740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255 2,010</td><td>2255 1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401 330</td><td>2401 165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402 330</td><td>2402 165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403 280</td><td>2403 145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451 1,510</td><td>2451 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452 110</td><td>2452 55</td><td>Petition to revive - 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Name (Print/Type) Bruce D. Grant		Registration No. (Attorney/Agent) 47,808	Telephone (858) 720-7962																																																																																																																												
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